

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

PAUL KUCK, On Behalf of Himself and All  
Others Similarly Situated,

Civil Action No: 04-CV-831 (SLR)

Plaintiff, )

**VS.** )

VERITAS SOFTWARE CORPORATION,  
EDWIN J. GILLIS, and GARY L. BLOOM

Defendants. )

*Additional captions on next page*

**[PROPOSED] ORDER APPOINTING TAY SIEW CHOON AND MARK LEONOV AS  
CO-LEAD PLAINTIFFS AND APPROVING LEAD PLAINTIFFS' SELECTION OF CO-  
LEAD COUNSEL**

JOHN BENNETT, Individually and On Behalf of All Others Similarly Situated,

Plaintiff,

**VS.**

VERITAS SOFTWARE CORPORATION,  
EDWIN J. GILLIS, and GARY L. BLOOM

**Defendants.**

Civil Action No: 04-CV-867 (SLR)

**TAY SIEW CHOON, Individually and On  
Behalf of All Others Similarly Situated,**

Plaintiff,

**VS.**

VERITAS SOFTWARE CORPORATION,  
EDWIN J. GILLIS, and GARY L. BLOOM

Defendants.

Civil Action No: 04-CV-872 (SLR)

Upon consideration of all motions filed in the above-captioned actions for consolidation, lead plaintiff appointment, and approval of selection of lead counsel and all supporting papers and correspondence, IT IS HEREBY ORDERED BY THE COURT THAT:

**I. CONSOLIDATION**

1. The above-captioned cases, and any subsequently filed or transferred related actions are hereby consolidated under Master File No: 04-CV-831 (hereinafter; the "Action") for all purposes, pursuant to Federal Rule of Civil Procedure 42 (a). This Order (the "Order") shall apply as specified to the Action and to each case that may be filed that relates to the same subject matter that is subsequently filed in this Court or transferred to this Court and is consolidated with the Action.

**II. MASTER DOCKET AND MASTER FILES**

2. A Master File is hereby established for this proceeding. The Master File shall be Civil Action No. 04-CV-831 (SLR). The Clerk shall file all pleadings in the Master File and note such filings on the Master Docket.

3. The Defendants' Motion to Transfer, Plaintiffs' Opposition to that motion, Defendants' Response to Motions for Appointment of Lead Plaintiff and Approval of Selection of Lead Counsel, Plaintiffs' Reply to that Response, and all other items filed in any of the above-captioned or related cases, shall be deemed applicable to the consolidated Action.

4. An original of this Order shall be filed by the Clerk in the Master File.

5. The Clerk shall mail a copy of this Order to Counsel of record in the Consolidated Action.

6. Every pleading filed in the Consolidated Action shall have the following caption:

_____	)	
In re VERITAS SECURITIES LITIGATION	)	Case No. 04-CV-831 (SLR)
	)	
	)	
_____	)	

**III. NEWLY-FILED OR TRANSFERRED ACTIONS**

7. This Court requests the assistance of counsel in calling to the attention of the Clerk of this Court the filing or transfer of any case that might properly be consolidated as part of the Action.

8. If a case arising out of the same subject matter of the Action is hereinafter filed in this Court or transferred from another Court, the Clerk of this Court shall:

- (a) File a copy of this Order in the separate file for such action;
- (b) Mail a copy of this Order to the attorneys for the plaintiff(s) in the newly-filed or transferred case and to any new defendant(s) in the newly-filed or transferred case; and
- (c) Make the appropriate entry in the Master Docket for the Consolidated Action.

9. Each new case that arises out of the subject matter of the Action that is filed in this Court or transferred to this Court, shall be consolidated with the Action and this Order shall apply thereto, unless a party objects to consolidation, as provided for herein, or any provision of this Order, within ten (10) days after the date upon which a copy of this Order is served on counsel for such party, by filing an application for relief and this Court deems it appropriate to grant such application.

**IV. APPOINTMENT OF LEAD PLAINTIFF AND LEAD COUNSEL**

10. Movants Tay Siew Choon and Mark Leonov are the movants with the largest financial interests in the above-captioned actions, and otherwise satisfy the requirements of Section 21D(a)(3)(B)(iii)(I) of the Securities Exchange Act of 1934, 15 U.S.C. §78u-4(a)(3)(B)(iii)(I); therefore, Tay Siew Choon and Mark Leonov are hereby appointed Co-Lead Plaintiffs in the Action.

11. Wechsler Harwood LLP and Goodkind Labaton Rudoff & Sucharow LLP, as counsel selected by Tay Siew Choon, and Schatz & Nobel, P.C., as counsel selected by Mark Leonov, are hereby approved as Co-Lead Counsel for the Class, and the law firm of Rosenthal, Monhait, Gross & Goddess, P.A. is appointed Liaison Counsel for the Class.

**V. LEAD PLAINTIFFS' RESPONSIBILITIES**

12. With the approval of the Court, Co-Lead Counsel shall assume and exercise the following powers and responsibilities:

- (a) To coordinate the briefing and argument of motions;
- (b) To coordinate the conduct of written discovery proceedings;
- (c) To coordinate the examination of witnesses in depositions;
- (d) To coordinate the selection of counsel to act as spokesperson at pre-trial conferences;
- (e) To conduct all settlement negotiations with counsel for the Defendants;
- (f) To coordinate and direct the preparation for trial and the trial of this matter, and to delegate work responsibilities to selected counsel as may be required;

(g) To receive orders, notices, correspondence and telephone calls from the Court on behalf of all plaintiffs, and to transmit copies of such orders, notices, correspondence and memoranda of such telephone calls to plaintiffs' counsel; and

(h) To supervise any other matters concerning the prosecution or resolution of the Action.

13. Counsel in any related action that is consolidated with the Action shall be bound by this Order.

SO ORDERED THIS \_\_\_\_\_ DAY OF MARCH, 2005.

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Sue L. Robinson  
United States District Judge